

COAST LASHED BY TWIN STORMS

OPEN OR CLOSED SHOP OUTLAWED IN N. R. A. CODES

Gen. Johnson Issues Long-Awaited Clarifying Statement

BOTH SIDES APPEAR TO RECEIVE COMFORT

Employees Given Right To Choose Kind Of Labor Union They Will Join

By J. F. ESSARY
Washington, Aug. 23—The long-promised statement of Gen. Hugh S. Johnson, Recovery Administrator, "clarifying" the labor section of the Recovery Act, was issued early this evening and apparently was timed to influence the coal and automobile industries which are still unable to agree with the Government upon their codes of fair competition.

This statement which also was signed by Donald R. Richberg, general counsel of the Administration, outlawed the words "open shop" or "closed shop" so far as Recovery codes are concerned, and said that no one would be permitted to write his own interpretation of the labor section into any agreement with the Administration.

Both Sides Appear Pleased
At that, the statement appeared to give comfort to both sides to the dispute over the meaning of the labor provision of the law in that it gives notice to all interests that "neither employers nor employees are required, by law, to agree to any particular contract, whether proposed as an individual or collective agreement."

The Recovery Administration also gives further notice that the Government will not "decide that a particular contract should be made or should not be made, between lawful representatives of employees and employers, and will not decide that a contract which has been lawfully made should not be enforced."

Refuses To Dictate Relations
In other words, the Administration definitely refuses to dictate or decide what the labor relations shall be between employers and employees in any industry, but if there is a dispute over these relations the Administration offers to investigate and if possible settle the question at issue.

In the event of disagreement as to whether the representatives chosen to speak for the employees are actually of their own choosing, the N. R. A. proposes to take a secret ballot allowing the employees to determine the matter for themselves. Presumably this ballot would be taken under the auspices of the National Labor Board.

Open Shop Ruled Out
The statement definitely rules out the open-shop provision which the automobile industry seeks to include in its code and a similar provision which the coal people have been fighting for.

The rewritten open-shop provision of the automobile code, which comes under the ban pronounced tonight by General Johnson, reads as follows:

Under the foregoing provisions any employer in the industry may operate under an open-shop policy, which is hereby defined to mean the selection, retention and advancement of employees on the basis of individual merit without regard to their affiliation or non-affiliation with any labor or other organization.

Which may mean that the "dead line" on these codes set at Hyde Park for tomorrow night may come and go without an agreement. And there is no present disposition here, whatever may be the President's impatience, to enforce the dead-line limit on the negotiations.

Text Of Statement

The Johnson-Richberg statement is as follows:

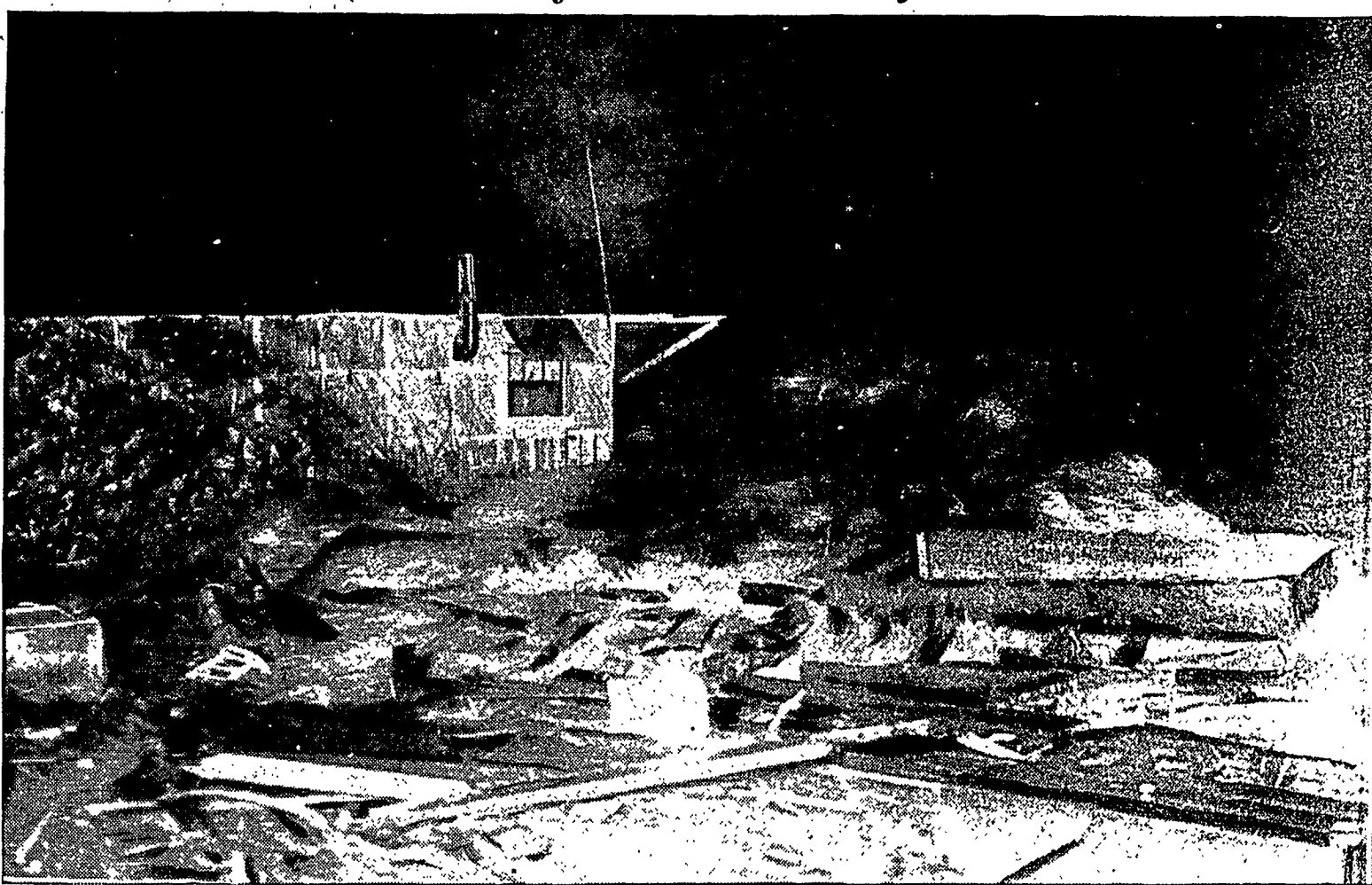
"The plain meaning of Section 7 (A) cannot be changed by any interpretation by anyone. It is the function of the administrator and the courts to apply, and to interpret the law in its administration; and no one else can assume this function, and no official interpretation can be circumscribed, affected or foreclosed by anyone writing his own interpretation into any code or agreement. Such an interpretation has no place there and cannot be permitted."

"The words 'open shop' and 'closed shop' are not used in the law and cannot be written into the law."

"These words have no agreed meaning and will be erased from the dictionary of the N. R. A."

Choice With Employees
"The law requires in codes and agreements that 'employees shall have the right to organize and bargain col-

Destruction In Path Of Storm Near Maryland Yacht Club



The building is a home practically demolished by high wind and driving rain. Debris from the structure, near the yacht club, is being washed into the yacht club basin.

LABOR ATTACKS 200-MILE DRIVE RETAIL CODE AS MADE IN RAIN 'REACTIONARY' BY ROOSEVELT

Demands 40-Hour Week And Minimum Wage Of \$15 To \$20 A Week

By DEWEY L. FLEMING
[Washington Bureau of The Sun]
Washington, Aug. 23—Labor today opened fire on what it termed the "reactionary" code of fair practice proposed by the retail mercantile trade, and countered with demands for a forty-hour week and minimum wages of from \$15 to \$20 a week.

The retail code, now the subject of hearings before A. D. Whiteside, deputy Recovery Administrator, calls for a forty-four-hour week and minimum wages ranging from \$12 per week in small towns and cities to \$14 in metropolitan centers.

Labor's plea for shorter hours and higher wage scales than those proposed by the merchants was voiced by C. C. Coulter, secretary-treasurer of the Retail Clerks' International Protective Association, and promptly endorsed in emphatic terms by Miss Rose Schneiderman, labor adviser to the National Recovery Administration.

Called "Starvation Wages"
A few minutes later the minimum wages proposed in the code were pronounced "starvation wages" by E. J. Tracey, of the American Federation of Labor. The labor representative also urged removal of the proposed wage differential under which Southern workers would receive \$1 less per week than employees in Northern states.

Mr. Coulter, who said union clerks already were getting more than a \$20 minimum wage, proposed that the minimum in cities of more than 1,000,000 population be \$20; in cities of from 500,000 to 1,000,000, \$18; in cities of from 100,000 to 500,000, \$17; in cities of from 25,000 to 100,000, \$16, and in cities and towns between 2,500 and 25,000, \$15. The leader of organized clerks also objected to the merchants' proposal to exempt from the forty-four-hour week all "executives" earning more than \$30 per week, saying the deadline for executives should be \$40 in cities of more than 500,000 population, \$35 in cities between 100,000 and 500,000 and \$30 in cities and towns of less than 100,000.

Would Strike Out Exceptions
Still another of Mr. Coulter's recommendations was that the merchants' strike from the child-labor prohibitions of their code the present exception for persons between 14 and 18 years of age who would be permitted to work three hours a day in light occupations not interfering with day-school hours.

"I endorse the Coulter amendments," Miss Schneiderman said at the outset of her remarks, "and I want to say that I deeply regret the substitution of the reactionary code of August 14."

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City's Rail, Ship And Street Traffic Crippled By Storm

Flood Worst In Baltimore's History—At Least Two Persons Drowned—Families Marooned In Homes—Damage Is Unestimated

Its water front under water; communications broken with a large section of the State; rail, boat and street traffic crippled and at least two persons drowned, Baltimore was in the grip last night of the worst storm in its history.

Families were marooned in houses in the heart of the city, homes on neighboring shores were floating away and boats piled many streets and resort sections, taking families, household goods and merchandise to safety.

Damage Unestimated
There was no effort, even, to estimate the extent of the damage, and the waters had by no means taken their full toll at an early hour this morning.

Beginning late yesterday afternoon, the waters of the harbor began creeping up on Light street, and by 6 o'clock the water was lapping at the base of the buildings on the west side of the street, and the east side was closed to traffic. By 8:30 P. M., the official peak of the tide, every wharf, warehouse, commission shop, store,

restaurant and house on Light street from Pratt to Lee was flooded.

Ships In Peril At Piers
Bay steamers tied to piers were in danger of riding above the piling, and at one time there seemed a likelihood of more than one of them being carried over the dock and deposited atop the trolley tracks. The Love Point ferry Philadelphia was riding seven feet above normal high tide level.

In the vicinity of Dundalk, a number of shore houses were reported to have been carried away by the water and many families were in distress. Soldiers from Camp Holabird were called to assist in the rescue work, taking persons off their floating homes and removing other persons from houses cut off by the water.

A family of four were rescued by Patrolman Albert Channell, of the Dundalk police, and Julius Gottschalk, a Dundalk fireman, when their cottage on Bear creek, near the Sparrows Point Bridge, was submerged. They were: Robert Smith, his wife, Mary, and their two children, Robert, Jr., 18, and Doris, 13.

Shoulder Deep In Houses
At Miller's Island it was reported that water was shoulder deep in houses and adults were having to hold their children above its surface. Coast Guardsmen were dispatched to the rescue.

A dozen residents of Patapsco Park, a Negro community on the Patapsco river a mile from Linthicum Heights, were rescued from their homes, by means of a rowboat commandeered by the Community Fire Department of Linthicum Heights when the Patapsco flooded its banks and inundated the section.

One Negro, Oscar Wilmot, a cripple, refused to be rescued, and firemen left him on the second floor of his home and he has not been seen since. The Negroes attracted attention to their plight by firing pistols from the second-floor windows of their homes.

Honeycomb Houseboat Sunk
The houseboat upon which Capt. Malvina Perry—who still uses her maiden name—her newly-wed husband, James E. Cheelsman, and her son Robert, 14, have made their home at Ferry Bar, foot of Light street, went down in yesterday's storm. All the belongings of the waterfront's strongwoman and her family—furniture, personal property and papers, including Captain Perry's master's papers—sank with the ship about 5 P. M. The boat was turned over by the heavy waves and left in the mud of the bottom with only its prow out of water.

The family was aboard at the time, but escaped through a skylight and swam ashore. Early this morning they still were trying to find lodgings for the night.

On Falls road, several miles of which was under water along the stretch which parallels Jones Falls,

BAY STEAMER IS UNREPORTED FOR 20 HOURS

City Of Norfolk Of Chesapeake Line Fails To Reach Virginia Port

The City of Norfolk, of the Chesapeake Steamship Company, was twenty hours overdue at Norfolk at 2 A. M. today, twenty hours after its departure from here. No word had been received from her as the steamer is not equipped with wireless.

Officials of the company, according to Charles Jorss, its secretary and treasurer, were convinced that she had taken refuge at Tangier Sound. Although they were without information from the boat, they deduced that such a course would be the natural one for her skipper, Edward James, to follow. The steamer was due in Norfolk between 6 and 7 A. M. Wednesday.

Passed By Old Bay Liner

The State of Maryland, of the Old Bay Line, was reported to have passed the City of Norfolk off the mouth of the Potomac Tuesday night. This led to the conjecture on the part of Capt. John S. Delano, head of the Maryland Pilots Association, that the City of Norfolk might have anchored behind Point Lookout lighthouse, in the Potomac river.

The harbor there—Cornfield Harbor—Captain Delano pointed out, would be the most accessible haven for a steamer having difficulty at the mouth of the Potomac.

Passenger List On Vessel

The City of Norfolk is a 325-foot steamer. Mr. Jorss did not know how many passengers are aboard her. He explained that at the passenger list is not totalled until after the vessel sails.

Scores of Baltimore residents and many persons in Norfolk were seeking information concerning the boat from many sources last night.

City Of Norfolk Sails

The Baltimore Mail liner City of Norfolk left its pier en route to Europe at 5 P. M. yesterday, getting away safely, while the City of Havre, which got in yesterday morning, waited for its sister ship to get away before attempting to dock.

The Chesapeake Steamship Line bay boats City of Baltimore and City of Richmond arrived at Baltimore safely during the day, and all its Richmond and Norfolk bound boats were reported safely in port with the exception of the City of Norfolk, long overdue at Norfolk. The Old Bay Line also reported all its vessels accounted for.

The Capillo, which left Baltimore Tuesday for Rio, via Chester, Pa., was reported anchored twenty miles below Cove Point.

The Victor Lynn line reported its power boat Henrietta Frances missing out of Cambridge for Baltimore, while the Victor Lynn arrived from Salisbury with a rail gone.

The Merchants and Miners steamer Chatham radioed to offices here that

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RESORTS AND SHIPPING SUSTAIN HEAVY DAMAGE; MANY SECTIONS ISOLATED

Ocean City Is Flooded And Refugees Report Twenty To Thirty-Foot Waves Are Pounding Boardwalk

HIGHWAYS AND RAILROADS BLOCKED BY FLOOD WATERS

Virginia Beach And Ocean View Hard Hit—Families Rescued From Shore Homes Here—Parts Of Light Street Waist Deep Under Tide

Whipping themselves into renewed fury, the twin forces of a West Indian hurricane and a northeaster hurled their combined might against the Atlantic seaboard from Hatteras to New England last night, smashed many famous beach resorts of Maryland, Virginia and Delaware, pitched the crop and other property damage toll into untold millions and brought death to many towns and cities.

All along that stretch of coast ships were beached, smaller craft wrecked, towns inundated by mammoth waves and the highway systems of whole States torn asunder by the forces of streams swollen to overflowing by the torrents of gale-blown rain that had fallen unceasingly from early morning until well past midnight. At 1 o'clock this morning the storm was abating rapidly.

SHIPPING DISASTERS INCREASE

Coastwise shipping, caught in the grip of the storm since early morning, still was halted, and at midnight reports of ships being missing increased. Inland the storm had taken at least thirteen lives. What its toll at sea had been was not known.

The City of Norfolk, of the Chesapeake Steamship Company, was overdue nineteen hours at 1 A. M. today at Norfolk, and was unreported. Company officials thought that she might have taken refuge from the storm.

At a late hour last night all attempts to establish satisfactory communication with the Eastern Shore below North East, in Cecil county, had failed. Many Baltimoreans attempted to motor to the rescue of their families vacationing at Ocean City and other Eastern Shore and Delmarva peninsula resorts, but were halted by floods. All that region had been swept by an eighty-mile-an-hour hurricane.

SALISBURY SENDS APPEAL

The following short-wave radio message from Salisbury was intercepted last night by the United States Naval Reserve Station at Philadelphia:

"We are cut off from outside aid. Please notify Baltimore, Md." The signature was Station W3CQS.

Vacationists Flee As 30-Foot Waves Flood Ocean City

[From a Staff Correspondent]
Shelbyville, Del., Aug. 23—Ocean City, Md., is marooned and destruction at the Eastern Shore resort from the storm is reported by vacationists who reached here tonight to be the worst in its history.

The boardwalk for a mile—from Seventh street northward—is demolished and the southern end of the pier has been washed away, refugees declared.

Thousands of visitors at Ocean City have sought refuge in Berlin, Md., as well as in towns far up into Delaware.

Nearly all of the fishing vessels tied up in the waters adjacent to the resort are reported wrecked, many beyond repair, by those who reached here.

Bridge Is Undermined

The bridge across Sinepuxent Bay, which connects Ocean City with the mainland, is undermined and impassable, it is reported. Automobiles are unable to traverse the span, while pedestrians are said to experience difficulty in using the foot pathway.

With water flowing into lower floors, all the hotels and cottages along the boardwalk have suffered some sort of damage.

Exodus from the resort has been general, and reports reaching here tonight indicated that many vacationists,

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trapped in streets two, three and four feet under water. No lives were lost, according to the reports. Virginia Beach was partially wrecked. Damage there was estimated at \$1,000,000.

Still holding the Eastern Shore captive, the storm late in the day began to extend its domain into Baltimore, and as early as an hour before high tide—8:30 P. M.—the city's main waterfront thoroughfare, Light street, was in many places waist deep in the waters that came surging up over the wharves and piers that deckle edge its huge harbor. Two hours later the whole waterfront section was inundated, the waters piling up to a six-foot depth in places.

All the city's main bridges or their approaches were under water. Inter-urban bus transportation had halted completely, and the railroads were being tied up by the storm. All bay ferry services were discontinued early in the day. At 9 P. M. Baltimore and Ohio Railroad officials reported that both that company's tracks between Baltimore and Washington were blocked by high water and washouts, and trains had had to be rerouted over the Pennsylvania railroad. The Pennsylvania reported its trains were running 30 to 40 minutes behind schedule.

Dundalk Cottages Afloat

Telephone and telegraph communications suffered frequent interruptions, due to fallen poles and lines broken by toppling trees and lines were out completely at many points beyond Baltimore, including especially the Eastern Shore and Southern Maryland. Rising waters trapped or drove families out of houses along Jones